

HOUSE BILL No. 1127

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-1-25.

Synopsis: Alcohol permit at a community center. Allows Michigan Township in LaPorte County to obtain a retailer's permit for the sale of alcoholic beverages.

Effective: July 1, 2003.

Pelath, Budak

January 7, 2003, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1127

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 7.1-3-1-25, AS AMENDED BY P.L.170-2002,
2 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 25. (a) A city or county listed in this subsection
4 that by itself or in combination with any other municipal body acquires
5 by ownership or by lease any stadium, exhibition hall, auditorium,
6 theater, convention center, or civic center may permit the retail sale of
7 alcoholic beverages upon the premises if the governing board of the
8 facility first applies for and secures the necessary permits as required
9 by this title. The cities and counties to which this subsection applies are
10 as follows:
11 (1) A consolidated city or its county.
12 (2) A city of the second class.
13 (3) A county having a population of more than one hundred
14 eighty-two thousand seven hundred ninety (182,790) but less than
15 two hundred thousand (200,000).
16 (4) A county having a population of more than one hundred
17 seventy thousand (170,000) but less than one hundred eighty



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thousand (180,000).

(5) A county having a population of more than one hundred thirty thousand (130,000) but less than one hundred forty-five thousand (145,000).

(6) A county having a population of more than three hundred thousand (300,000) but less than four hundred thousand (400,000).

(7) A city having a population of more than five thousand one hundred thirty-five (5,135) but less than five thousand two hundred (5,200).

(8) A county having a population of more than one hundred twenty thousand (120,000) but less than one hundred thirty thousand (130,000).

(9) A county having a population of more than one hundred eighty thousand (180,000) but less than one hundred eighty-two thousand seven hundred ninety (182,790).

(b) A county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) or a township located in such a county that has established a public park with a golf course within its jurisdiction under IC 36-10-3 or IC 36-10-7 may be issued a permit for the retail sale of alcoholic beverages on the premises of any community center within the park, including a clubhouse, social center, or pavilion.

(c) A township that:

(1) is located in a county having a population of more than one hundred five thousand (105,000) but less than one hundred ten thousand (110,000); and

(2) acquires ownership of a golf course;

may permit the retail sale of alcoholic beverages upon the premises of the golf course, if the governing board of the golf course first applies for and secures the necessary permits required by this title.

(d) A township:

(1) having a population of more than thirty-five thousand (35,000) but less than one hundred thousand (100,000); and

(2) located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000);

may be issued a permit for the retail sale of alcoholic beverages on the premises of any community center or social center that is located within the township and operated by the township.

(e) A city that:

(1) has a population of:

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- 1 (A) more than fifty-nine thousand seven hundred (59,700) but
 2 less than sixty-five thousand (65,000); or
 3 (B) more than forty-six thousand five hundred (46,500) but
 4 less than fifty thousand (50,000); and
 5 (2) owns a golf course;
 6 may permit the retail sale of alcoholic beverages upon the premises of
 7 the golf course if the governing board of the golf course first applies for
 8 and secures the necessary permits required by this title.
 9 (f) A city that:
 10 (1) has a population of more than thirty-two thousand (32,000)
 11 but less than thirty-two thousand eight hundred (32,800); and
 12 (2) owns or leases a marina;
 13 may permit the retail sale of alcoholic beverages upon the premises of
 14 the marina, if the governing board of the marina first applies for and
 15 secures the necessary permits required by this title. The permit may
 16 include the carryout sale of alcoholic beverages in accordance with
 17 IC 7.1-3-4-6(c), IC 7.1-3-9-9(c), IC 7.1-3-14-4(c), and 905 IAC 1-29
 18 but may not include at-home delivery of alcoholic beverages.
 19 (g) A city listed in this subsection that owns a marina may be issued
 20 a permit for the retail sale of alcoholic beverages on the premises of the
 21 marina. The permit may include the carryout sale of alcoholic
 22 beverages in accordance with IC 7.1-3-4-6(c), IC 7.1-3-9-9(c),
 23 IC 7.1-3-14-4(c), and 905 IAC 1-29 but may not include at-home
 24 delivery of alcoholic beverages. However, the city must apply for and
 25 secure the necessary permits that this title requires. This subsection
 26 applies to the following cities:
 27 (1) A city having a population of more than ninety thousand
 28 (90,000) but less than one hundred five thousand (105,000).
 29 (2) A city having a population of more than seventy-five thousand
 30 (75,000) but less than ninety thousand (90,000).
 31 (3) A city having a population of more than thirty-two thousand
 32 eight hundred (32,800) but less than thirty-three thousand
 33 (33,000).
 34 (4) A city having a population of more than thirty-three thousand
 35 (33,000) but less than thirty-six thousand (36,000).
 36 (5) A city having a population of more than twenty-seven
 37 thousand (27,000) but less than twenty-seven thousand four
 38 hundred (27,400).
 39 (h) Notwithstanding subsection (a), the commission may issue a
 40 civic center permit to a person that:
 41 (1) by the person's self or in combination with another person is
 42 the proprietor, as owner or lessee, of an entertainment complex;

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1 or

2 (2) has an agreement with a person described in subdivision (1)
3 to act as a concessionaire for the entertainment complex for the
4 full period for which the permit is to be issued.

5 **(i) A township:**

6 **(1) having a population of more than twenty-nine thousand**
7 **(29,000); and**

8 **(2) located in a county having a population of more than one**
9 **hundred ten thousand (110,000) but less than one hundred**
10 **fifteen thousand (115,000);**

11 **may be issued a permit for the retail sale of alcoholic beverages on**
12 **the premises of any community center or social center that is**
13 **located within the township and operated by the township.**

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